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March 17, 2021

REF:

835900.00003
WRITER'S DIRECT CONTACT:

VIA ECF

Hon. Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Spruill v. City of New York et al.*, 21-cv-181 (AT)(GG)

Dear Judge Torres:

This firm represents Plaintiff Jeremiah Spruill in the above referenced matter. We write pursuant to the Court's Individual Practices Rule III(B)(ii) to request leave to amend the Complaint. Plaintiff requests permission to file an amended complaint within 21 days, or on or before April 7, 2021. This is Plaintiff's first request for leave to amend. Counsel for Defendant Vance consents to this request and counsel for the City of New York and the New York Police Department Defendants take no position as to this request.

On March 5, 2021, counsel for Defendant Cyrus Vance submitted a letter to Plaintiff's counsel pursuant to the Court's Individual Practices Rule III(B)(ii) detailing Defendant's intent to move to dismiss the Complaint. On March 11, 2021, counsel for the City of New York and the New York Police Department ("NYPD") Undercover Officers and Detectives (collectively the "City Defendants") submitted a similar letter. On March 17, 2021, after agreeing with counsel for additional time to respond to Defendant Vance's letter, Plaintiff responded to Defendant Vance and the City Defendants' letters detailing "the extent . . . to which plaintiff concur[red] with defendant[s'] objections and the amendments, if any, to be made to the complaint to address them, or the reasons and controlling authority that support the pleadings as filed." See the Court's Individual Practices Rule III(B)(ii). In Plaintiff's responses, Plaintiff noted intent to amend the Complaint including to: (1) dismiss Defendant Vance from this action; (2) dismiss Plaintiff's false arrest claim; and (3) reinforce Plaintiff's *Monell* claims as to the NYPD and the New York County District Attorney's Office.

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Therefore, pursuant to the Court's Individual Practices III(B)(ii), Plaintiff respectfully requests that the Court grant Plaintiff leave to amend the Complaint and file an amended complaint on or before April 7, 2021.

We thank the Court for its consideration in this matter.

Respectfully submitted,

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